

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 76/117,922
Filed on August 28, 2000 for "UNCLE FRED'S SAUSAGE" [and Portrait Design]

UNCLE BEN'S INC.

Opposer,

v.

ZANE HULLIHEN

Applicant

Opposition No. 91,152,433



10-11-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #11

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ANSWER TO NOTICE OF OPPOSITION

Zane Hullihen, a citizen of the United States and a resident of the Commonwealth of Pennsylvania ("Applicant"), residing at 1344 Skyline Drive, Blandburg, Pennsylvania 16619, answers the Notice of Opposition of Uncle Ben's, Inc. ("Opposer"), as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Notice of Opposition and therefore denies such allegations.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 of the Notice of Opposition and therefore denies such allegations.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of the Notice of Opposition and therefore denies such allegations.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Notice of Opposition and therefore denies such allegations.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 of the Notice of Opposition and therefore denies such allegations.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Notice of Opposition and therefore denies such allegations.

7. Applicant denies that its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] is substantially similar to any of Opposer's "UNCLE BEN'S" marks. Applicant further denies that its use of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] will cause confusion in the minds of the public as regards any of Opposer's "UNCLE BEN'S" marks, or that Applicant's use of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] will lead the public to believe that Applicant's goods emanate from Opposer or that Applicant is in some way associated with or connected to Opposer. Applicant admits that no relationship exists between Applicant and Opposer. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the allegations contained in Paragraph 7 of the Notice of Opposition and therefore denies such allegations.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Notice of Opposition and therefore denies such allegations.

9. Applicant denies that the registration of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] in connection with the goods specified in its application is likely to cause consumers to be confused, mistaken or deceived as to the source, origin or sponsorship of Applicant's goods, to believe that Applicant's goods emanate from Opposer, to believe that Applicant is in some way related to Opposer, or to believe that Applicant's products marketed under its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] are marketed with the consent, permission or authorization of Opposer. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the allegations contained in Paragraph 9 of the Notice of Opposition and therefore denies such allegations.

10. Applicant denies that Applicant's use of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] on or in connection with food products is likely to dilute any of Opposer's "UNCLE BEN'S" marks. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the allegations contained in Paragraph 10 of the Notice of Opposition and therefore denies such allegations.

11. Applicant denies that the registration of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] in connection with the goods specified in its application will damage Opposer, or dilute any of Opposer's "UNCLE BEN'S" marks, or cause the public or the trade to believe that the goods sold under Applicant's mark "UNCLE FRED'S SAUSAGE" [and Portrait design] are produced or licensed by Opposer under any of Opposer's "UNCLE BEN'S" marks, or are produced by Applicant with the authorization, permission or consent of Opposer. Applicant further denies that its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] is confusingly similar to any of Opposer's "UNCLE BEN'S" marks. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the

allegations contained in Paragraph 11 of the Notice of Opposition and therefore denies such allegations.

12. Applicant denies that it is not entitled to the registration of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] in connection with the goods specified in its application. Applicant further denies that it is not entitled to the exclusive use of its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] in connection with the goods specified in its application. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the allegations contained in Paragraph 12 of the Notice of Opposition and therefore denies such allegations.

AFFIRMATIVE DEFENSES

13. Applicant is the owner of Application Serial No. 76/117,922 for the mark "UNCLE FRED'S SAUSAGE" [and Portrait design].

14. None of the trademarks alleged to be owned by Opposer (in Paragraph 5 of the Notice of Opposition) are registered for the goods specified in the application to register Applicant's mark "UNCLE FRED'S SAUSAGE" [and Portrait design]; namely, "sausage". In fact, none of Opposer's "UNCLE BEN'S" marks (listed in Paragraph 5 of the Notice of Opposition) are registered for any kind of meat products whatsoever.

15. The goods covered by Application Serial No. 76/117,922, "sausage", are materially different from all of the goods covered by Opposer's marks (listed in Paragraph 5 of the Notice of Opposition).

16. The on-line records of the U.S. Patent and Trademark Office (available at <http://www.uspto.gov/web/menu/tm.html>) include 140 references to marks in International Classes 29 (Meats and Processed Foods), 30 (Staple Foods) and 31 (Natural Agricultural

Products) which include the term "UNCLE". (See the print-out attached hereto as Exhibit A.) Among these registered marks are "UNCLE CHARLIE'S" for "fresh meats and prepared meat products" (Reg. No. 852,845), "UNCLE SAMMY'S" [and Design] for "beef salami" (Reg. No. 1,188,834), "UNCLE JIM'S" for "fried pork skins" (Reg. No. 1,239,604), "UNCLE BUM'S" for "marinade" (Reg. No. 1,453,409), "UNCLE WESLEY'S" for "sauces, namely barbecue (barbeque) sauces" (Reg. No. 2,134,827), "UNCLE LOU'S" for "fresh and processed meat and poultry; sausages and cold cuts made from meat and poultry; and meat products, namely, pork chitterlings" (Reg. No. 2,142,211), and others too numerous to mention. (Copies of all of such print-outs are also attached hereto as Exhibit A.)

17. The numerous registered marks that exist in International Classes 29 (Meats and Processed Foods), 30 (Staple Foods) and 31 (Natural Agricultural Products) which include the term "UNCLE" demonstrate both the inherent weakness of this term and that no single user has exclusive rights in and to the term "UNCLE" as applied to food products.

18. Applicant's mark "UNCLE FRED'S SAUSAGE" [and Portrait design] is far from identical to any of Opposer's "UNCLE BEN'S" marks. In fact, other than the inherently weak term "UNCLE", the marks are completely different in sound, appearance and meaning.

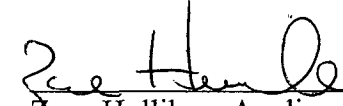
19. In view of the differences that exist in the sound, appearance and meaning of these marks, Applicant's mark "UNCLE FRED'S SAUSAGE" [and Portrait design] and Opposer's "UNCLE BEN'S" marks easily convey different commercial impressions.

20. The combination of the differences in the marks and the differences in the goods in connection with which the marks are used warrants a finding that no likelihood of confusion exists between Applicant's mark "UNCLE FRED'S SAUSAGE" [and Portrait design] and Opposer's "UNCLE BEN'S" marks.

WHEREFORE, Applicant respectfully requests that the Notice of Opposition be dismissed, with prejudice, and that Applicant be permitted to register its mark "UNCLE FRED'S SAUSAGE" [and Portrait design] on the Principal Register.

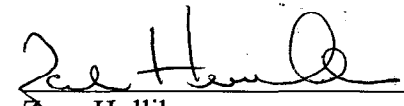
Respectfully submitted,

Dated: October 9, 2002


Zane Hullihen, Applicant
P.O. Box 35
Blandburg, PA 16619

CERTIFICATE OF SERVICE

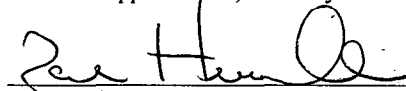
One copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been mailed in a postage prepaid envelope deposited in a box under the custody of the U.S. Postal Service this 9th day of October, 2002, addressed to Timothy J. Kelly, Esquire, Fitzpatrick, Cella, Harper & Scinto, 30 Rockefeller Plaza, New York, NY 10112.


Zane Hullihen

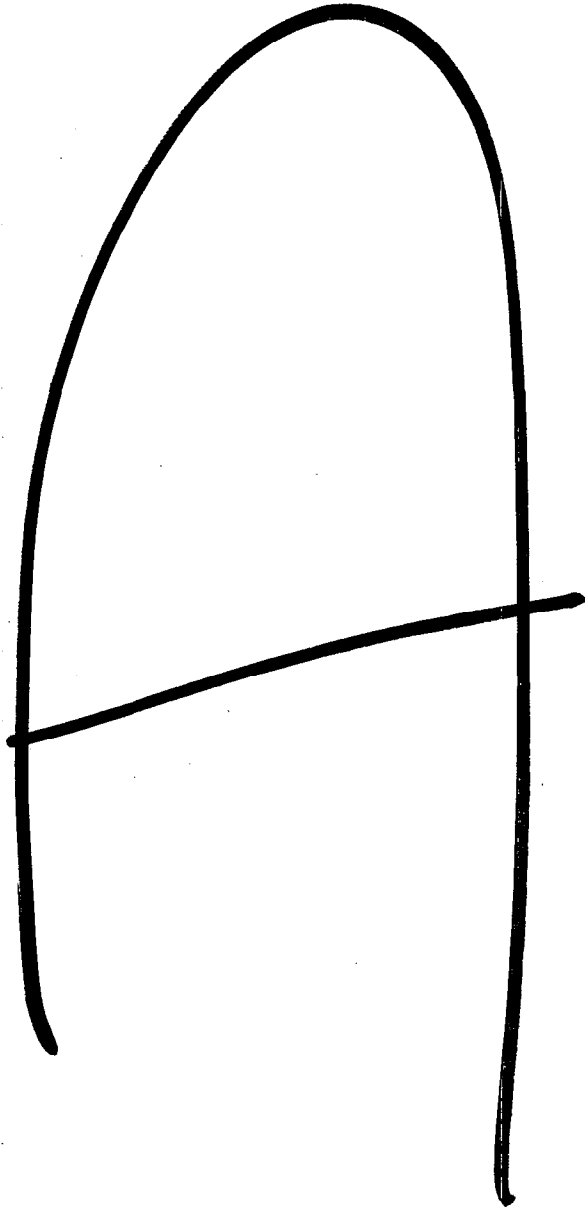
Date: October 9, 2002

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service, as first class mail, on the date indicated below, in an envelope addressed to: United States Department of Commerce, Patent and Trademark Office, Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, VA 22202-3513.


Zane Hullihen

Dated: October 9, 2002





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(This page: 1 ~ 140)

(029, 030, 031)[IC] and (*uncle*)[BI] and (I)

Current
Search:

S4: (029, 030, 031)[IC] and (*uncle*)[BI] and (live)
[LD]

docs: 140 occ:
455

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	78124933		UNCLE TONY'S GOURMET JERKY DON'T LET OUR COMPETITION JERK YOU AROUND!!!! HTTP://WWW.UNCLETONYSJERKY.COM WHOLLY COW!!!! THIS JERKY IS GOOD!!!!	TARR	LIVE
2	78087185		UNCLE SAM'S	TARR	LIVE
3	78034529	2545097	UNCLE RAY'S ALWAYS MADE FRESH FROM NATURE'S BEST!	TARR	LIVE
4	78031111	2540553	UNCLE RAY'S MADE FRESH FROM NATURE'S BEST!	TARR	LIVE
5	78034387	2500545	UNCLE RAY'S ALWAYS MADE FRESH FROM NATURE'S BEST!	TARR	LIVE
6	76027299		UNCLE COOK'S	TARR	LIVE
7	76201796		UNCLE BEN'S STIR UPS	TARR	LIVE
8	76201778		UNCLE BEN'S POUCH O' PASTA	TARR	LIVE
9	76326116		UNCLE WALTS CHEDDAR	TARR	LIVE
10	76277203		UNCLE BEN'S EXPRESS	TARR	LIVE
11	76446822		UNCLE BEN'S BISTRO	TARR	LIVE

12	76294098	UNCLE HARRY'S SINCE 1987	TARR	LIVE
13	76425164	UNCLE BEN'S BAKES	TARR	LIVE
14	76240252	UNCLE BEAN'S HUGGLE-FLUFFS	TARR	LIVE
15	76276701	UNCLE BEN'S NATURAL SELECT AROMATICA	TARR	LIVE
16	76430551	UNCLE TANNOUS	TARR	LIVE
17	76117922	UNCLE FRED'S SAUSAGE	TARR	LIVE
18	76374637	UNCLE NOOKIES	TARR	LIVE
19	76374310	UNCLE CHANG	TARR	LIVE
20	76371754	UNCLE LUKE'S	TARR	LIVE
21	76197949	UNCLE TIM'S	TARR	LIVE
22	76314831	UNCLE BEN'S MINI DUNKS	TARR	LIVE
23	76201798	UNCLE BEN'S SPREADWICHES	TARR	LIVE
24	76417027	UNCLE BEN'S MEXICAN STYLE BOWL	TARR	LIVE
25	76417420	UNCLE BEN'S VEG-A-FULLS	TARR	LIVE
26	76383329	UNCLE WALT'S	TARR	LIVE
27	76242165	UTK UNCLE TONY'S KEBABS	TARR	LIVE
28	76410793	UNCLE BEN'S BOWLS	TARR	LIVE
29	76247832	UNCLE BEN'S HEARTH HEALTHY	TARR	LIVE
30	76281867	UNCLE BEN'S NATURAL SELECTIONS	TARR	LIVE
31	76205313	UNCLE BEN'S POTATO BOWL	TARR	LIVE
32	76124728	MAKE HUNGER SAY UNCLE	TARR	LIVE
33	76201797	UNCLE BEN'S FINGER FLICKS	TARR	LIVE
34	76337888	UNCLE BEN'S EXPRESS	TARR	LIVE
35	76302522	2570054 UNCLE HERSCHEL'S FAVORITE	TARR	LIVE
36	76205322	UNCLE BEN'S BREAKFAST BOWL	TARR	LIVE
37	76201686	UNCLE BEN'S MINI DIPPERS	TARR	LIVE
38	76201777	UNCLE BEN'S SOUP BOWL	TARR	LIVE
39	76325335	UNCLE BEN'S CLASSIC	TARR	LIVE
40	76280481	UNCLE BUCK'S	TARR	LIVE
41	76020128	2541539 UNCLE CHUNKS	TARR	LIVE
42	76349235	UNCLE BEN'S GOODSTUFFS	TARR	LIVE
43	76135925	UNCLE BEN'S CULINARY ARTS	TARR	LIVE
44	76291031	UNCLE LOUIE'S	TARR	LIVE
45	76291029	UNCLE LOU'S	TARR	LIVE
46	76224373	2507089 UNCLE LOUIE G'S	TARR	LIVE

47	76196763		UNCLE BEN'S GO WILD	TARR	LIVE
48	76164034		UNCLE BEN'S SIGNATURE	TARR	LIVE
49	76103820		UNCLE BEN'S DESSERT BOWL	TARR	LIVE
50	76010248	2511231	UNCLE BEN'S CHILI BOWL	TARR	LIVE
51	75115649	2071652	UNCLE SETH'S	TARR	LIVE
52	75469999		AT THE FOUNDATION OF THE NUTRITIONAL PYRAMID UNCLE BEN'S RICE	TARR	LIVE
53	75981668	2598784	UNCLE BEN'S NOODLE BOWL.	TARR	LIVE
54	75864740		UNCLE BEN'S PASTA BOWL	TARR	LIVE
55	75427876		UNCLE BEN'S QUICK	TARR	LIVE
56	75691169		UNCLE MATT'S ORGANIC	TARR	LIVE
57	75446849		UNCLE BEN'S CHEF'S RECIPE	TARR	LIVE
58	75557154		UNCLE CARL'S KERNELS THE ORIGINAL POP CORN JERKY	TARR	LIVE
59	75920821	2533507	UNCLE LEM'S	TARR	LIVE
60	75540273	2523010	UNCLE RANDAWG'S FAMOUS BBQ SAUCE A SATISFYING BBQ SAUCE "WITH JUST THE RIGHT BITE!" ORIGINAL BLUE RIBBON RECIPE	TARR	LIVE
61	75678532		UNCLE BEN'S SOUTHERN TRADITIONS	TARR	LIVE
62	75872607	2516392	UNCLE BEN'S	TARR	LIVE
63	75746271		UNCLE BEN'S SABROSO	TARR	LIVE
64	75980534	2499105	UNCLE BEN'S CHEF'S RECIPE	TARR	LIVE
65	75980533	2499104	UNCLE BEN'S NATURAL SELECT	TARR	LIVE
66	75887996		UNCLE BEN'S INFUSED	TARR	LIVE
67	75887962		UNCLE BEN'S MEXICAN BOWL	TARR	LIVE
68	75865831	2505398	UNCLE BEN'S MINI BOWL	TARR	LIVE
69	75864850		UNCLE BEN'S POWER BOWL	TARR	LIVE
70	75746270		DE LA COCINA DE UNCLE BEN'S	TARR	LIVE
71	75727330	2439408	UNCLE EDDIES VEGAN	TARR	LIVE
72	75711166	2402874	UNCLE WALLY'S	TARR	LIVE
73	75681534	2316801	FOR THE OF YOUR PET UNCLE SAM'S NATURAL DOG TREATS	TARR	LIVE
74	75681528	2314778	FOR THE OF YOUR PET UNCLE SAM'S NATURAL PET TREATS	TARR	LIVE
75	75672036	2364228	UNCLE JOHN'S	TARR	LIVE
76	75669380	2326408	UNCLE RAY'S	TARR	LIVE

77	75669379	2382643	UNCLE RAY'S MADE FRESH FROM NATURE'S BEST!	TARR	LIVE
78	75592430		UNCLE BILL'S	TARR	LIVE
79	75512164	2229163	UNCLE PENNY'S	TARR	LIVE
80	75507127	2264918	UNCLE JERRY'S RUB	TARR	LIVE
81	75487884	2229032	UNCLE BERT'S	TARR	LIVE
82	75465564	2284876	UNCLE AL & LOUIE'S SPROUTS & SUCH	TARR	LIVE
83	75464307		UNCLE BEN'S ORIGINAL	TARR	LIVE
84	75446848		UNCLE BEN'S NATURAL SELECT	TARR	LIVE
85	75443401	2249357	UNCLE DAVE'S	TARR	LIVE
86	75431700	2205892	UNCLE JOHNNY'S	TARR	LIVE
87	75381715	2346355	UNCLE SAM'S	TARR	LIVE
88	75356124	2184113	UNCLE JOE'S PURE GOOD MINT BALLS	TARR	LIVE
89	75326389	2173048	UNCLE JIMMY'S BEST	TARR	LIVE
90	75301500	2235190	UNCLE HUN'S	TARR	LIVE
91	75293724	2264010	UNCLE DARROW'S AN OLD FAMILY TRADITION	TARR	LIVE
92	75293723	2303207	UNCLE DARROW'S	TARR	LIVE
93	75287453	2144742	UNCLE RALPH'S MAGIC SAUCE	TARR	LIVE
94	75285655	2192017	UNCLE B'S BAKERY BAGEL TO GO!	TARR	LIVE
95	75202208	2142211	UNCLE LOU'S	TARR	LIVE
96	75186727	2103455	UNCLE JOCK'S	TARR	LIVE
97	75133404	2162647	SINCE 1976 UNCLE TED'S GOOD DOG! BISCUITS	TARR	LIVE
98	75089532	2143292	GOOD COOKS COOK WITH UNCLE BEN'S	TARR	LIVE
99	75081764	2057130	UNCLE BILL'S	TARR	LIVE
100	75028450	2036800	UNCLE LARRY'S REINDEER FLIGHT FOOD	TARR	LIVE
101	75011464	2029901	UNCLE B'S BAKERY BAGELS	TARR	LIVE
102	74722525	2134827	UNCLE WESLEY'S	TARR	LIVE
103	74737088	1995687	UNCLE BEN'S	TARR	LIVE
104	74706776	2001081	UNCLE BEN'S	TARR	LIVE
105	74629459	1954712	UNCLE TEDDYS	TARR	LIVE
106	74476679	1958265	UNCLE TEDDYS FAMOUS HAND ROLLED SOFT PRETZELS	TARR	LIVE
107	74737089	1997104	UNCLE BEN'S	TARR	LIVE
108	74727196	2009910	UNCLE ANGELO'S	TARR	LIVE
109	74707299	2038262	UNCLE LESTER'S COUNTRY COOKIN'	TARR	LIVE

110	74707276	2039859	UNCLE LESTER'S COUNTRY COOKIN'	TARR	LIVE
111	74706779	2002712	UNCLE BEN'S	TARR	LIVE
112	74706777	1998169	UNCLE BEN'S INTERNATIONAL MARINADE	TARR	LIVE
113	74560525	1923877	UNCLE WILLIAM	TARR	LIVE
114	74499162	1888708	UNCLE BEN'S	TARR	LIVE
115	74488212	1878790	UNCLE SAM	TARR	LIVE
116	74448494	1850693	UNCLE HAM'S	TARR	LIVE
117	74408127	1827632	UNCLE JACK'S	TARR	LIVE
118	74196116	1699292	UNCLE B'S	TARR	LIVE
119	74083198	1727895	UNCLE ERNIE'S GOURMET COOKIES	TARR	LIVE
120	74054793	1695480	UNCLE BEN'S	TARR	LIVE
121	74025103	1616939	UNCLE LEE'S TEA	TARR	LIVE
122	73635670	1453409	UNCLE BUM'S	TARR	LIVE
123	73621922	1471530	UNCLE JESSE'S	TARR	LIVE
124	73548417	1383607	UNCLE SAM	TARR	LIVE
125	73508131	1354498	UNCLE SAMMY'S	TARR	LIVE
126	73490187	1339367	UNCLE SAMMY'S	TARR	LIVE
127	73484916	1360886	UNCLE BEN'S CONVERTED RICE NATURAL LONG GRAIN	TARR	LIVE
128	73484905	1358277	UNCLE BEN'S CONVERTED RICE NATURAL LONG GRAIN	TARR	LIVE
129	73401762	1335732	UNCLE BENS CONVERTED RICE	TARR	LIVE
130	73347931	1239604	UNCLE JIM'S	TARR	LIVE
131	73272749	1188834	UNCLE SAMMY'S	TARR	LIVE
132	73173706	1114195	UNCLE DAN'S	TARR	LIVE
133	72339516	0903134	UNCLE BEN'S	TARR	LIVE
134	72339406	0899801	UNCLE BEN'S MEASURE OF QUALITY UB	TARR	LIVE
135	72302577	0874378	UB UNCLE BEN'S MEASURE OF QUALITY	TARR	LIVE
136	72256157	0852845	UNCLE CHARLIE'S	TARR	LIVE
137	72253695	0848265	UNCLE DAN'S	TARR	LIVE
138	72131090	0740123	UNCLE BEN'S	TARR	LIVE
139	71514591	0437176	UNCLE BEN'S	TARR	LIVE
140	71233507	0219538	UNCLE TOM'S	TARR	LIVE

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Typed Drawing

Word Mark	UNCLE CHARLIE'S
Goods and Services	IC 029. US 046. G & S: FRESH MEATS AND PREPARED MEAT PRODUCTS: FIRST USE: 19520800. FIRST USE IN COMMERCE: 19570500
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	72256157
Filing Date	October 10, 1966
Registration Number	0852845
Registration Date	July 16, 1968
Owner	(REGISTRANT) UNCLE CHARLIE'S SAUSAGE CO., INC. CORPORATION INDIANA 2010 N. GRAND AVE. EVANSVILLE INDIANA (LAST LISTED OWNER) PLB, INC. DBA UNCLE CHARLIE'S MEATS CORPORATION ASSIGNEE OF KENTUCKY 406 N. ESTILL AVE. RICHMOND KENTUCKY 40475
Assignment Recorded	ASSIGNMENT RECORDED

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15.
Renewal 1ST RENEWAL 19880716
Live/Dead Indicator LIVE

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Word Mark	UNCLE SAMMY'S
Goods and Services	IC 029. US 046. G & S: Beef Salami. FIRST USE: 19790900. FIRST USE IN COMMERCE: 19790900
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	261501
Serial Number	73272749
Filing Date	August 4, 1980
Published for Opposition	November 10, 1981
Registration Number	1188834
Registration Date	February 2, 1982
Owner	(REGISTRANT) Jack Greenberg, Inc. CORPORATION PENNSYLVANIA 1717 N. Delaware Ave. Philadelphia

PENNSYLVANIA 19125

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record A. D. Caesar

Description of Mark The shading shown in the mark on the drawing is a feature of the mark and does not indicate color.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Other Data "UNCLE SAM" IS A NICKNAME OF "SAMUEL GREENBERG", A LIVING INDIVIDUAL, WHOSE CONSENT IS OF RECORD.

Live/Dead Indicator LIVE

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Typed Drawing

Word Mark	UNCLE JIM'S
Goods and Services	IC 029. US 046. G & S: Fried Pork Skins. FIRST USE: 19810825. FIRST USE IN COMMERCE: 19810825
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73347931
Filing Date	January 29, 1982
Published for Opposition	March 1, 1983
Registration Number	1239604
Registration Date	May 24, 1983
Owner	(REGISTRANT) Sonny's Old Fashion Skins, Inc. CORPORATION SOUTH CAROLINA 3209 E. Huntington Dr. Florence SOUTH CAROLINA 29501 (LAST LISTED OWNER) WALLACE'S OLD FASHION SKINS, INC. CORPORATION BY CHANGE OF NAME FROM SOUTH CAROLINA 3209 E. HUNTINGTON DR. FLORENCE SOUTH CAROLINA 29501
Attorney of Record	C. GORDON MCBRIDGE

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead
Indicator LIVE

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Typed Drawing

Word Mark	UNCLE BUM'S
Goods and Services	IC 030. US 046. G & S: MARINADE. FIRST USE: 19860820. FIRST USE IN COMMERCE: 19861101
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73635670
Filing Date	December 16, 1986
Published for Opposition	May 26, 1987
Registration Number	1453409
Registration Date	August 18, 1987
Owner	(REGISTRANT) UNCLE BUM'S FOOD PRODUCTS, INC. CORPORATION CALIFORNIA 221 MARGUERITA AVENUE SANTA MONICA CALIFORNIA 90402
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	DONALD M. CISLO

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15; SECT 8 (6-YR).
Live/Dead
Indicator LIVE

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Typed Drawing

Word Mark	UNCLE WESLEY'S
Goods and Services	IC 030. US 046. G & S: sauces, namely barbecue (barbeque) sauces. FIRST USE: 19970214. FIRST USE IN COMMERCE: 19970214
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74722525
Filing Date	August 29, 1995
Filed ITU	FILED AS ITU
Published for Opposition	July 23, 1996
Registration Number	2134827
Registration Date	February 3, 1998
Owner	(REGISTRANT) Williams, Andrew (Andy) INDIVIDUAL UNITED STATES 9951 Foster Ave. Overland Park KANSAS 662122452
Attorney of Record	GARY WILLIAMS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead	LIVE

Indicator

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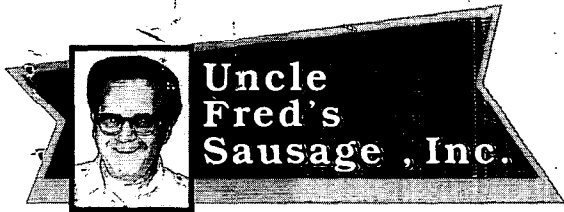
Typed Drawing

Word Mark UNCLE LOU'S
Goods and Services IC 029. US 046. G & S: fresh and processed meat and poultry; sausages and cold cuts made from meat and poultry; and meat products, namely, pork chitterlings. FIRST USE: 19901215. FIRST USE IN COMMERCE: 19961024
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75202208
Filing Date November 22, 1996
Published for Opposition July 29, 1997
Registration Number 2142211
Registration Date March 10, 1998
Owner (REGISTRANT) Louis Meats, Inc. CORPORATION OHIO 731 McMillan Street Cincinnati OHIO 45206
Attorney of Record DAVID DEVITA
Type of Mark TRADEMARK

Register PRINCIPAL
Live/Dead LIVE
Indicator

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October 9, 2002

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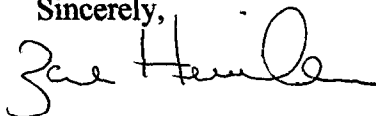
**Re: Opposition No. 91,152,433 – “UNCLE FRED’S SAUSAGE” [and
Portrait Design] – Trademark Application Serial No. 76/117,922**

Dear Sir:

Enclosed for filing is an Answer to the Notice of Opposition filed by Uncle Ben’s, Inc.
with respect to the above referenced trademark application.

Please acknowledge receipt of this filing by marking and returning the enclosed post
card.

If there are any difficulties with this filing, please contact the undersigned immediately.
Thank you for your cooperation.

Sincerely,

Zane Hullihen

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